

Holomon



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ATTACHMENT D

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7/22/05

Appeal Board

Project Planner: Gerri Caruso
Trudi Ryan

Thank you for reviewing the appeal application submitted 7-22-05 regarding this new proposed home located at 694 Conway road.

We welcome the development of a new home on this property and we all recognize that constructing a new home will increase all surrounding properties.

In April of 2000 an Engineering Report for Conway Assessment district began due to the City of Sunnyvale's restricting the development of all properties along Conway road. The argument used to enforce this restriction by the City of Sunnyvale was as follows:

- A. Fire truck accessibility
- B. no fire extinguisher accessibility
- C. City was aware of the old underground utilities.
- D. Old Septic tanks that cause environmental hazards

Including, and not limiting other dilemmas that faced Conway Road which were discussed during four meeting between neighbors and City officials. Review Berryman & Henigars engineering report prepared for the City of Sunnyvale dated April 25, 2000.

I believe it is misleading for the City Planner to compare homes located on Hollenbeck ave (page 5 of 5 in there report). During the development of Hollenbeck parking was not going to impact Conway road due to the driveway access coming off of Hollenbeck. The third home located on Conway and Hollenbeck is at a FAR at 51% and that property should be the only compared property due to it location and parking issue.

The restriction set forth by the City of a 45% FAR on Conway was set forth during the construction and discussions between all home owners due to the fire accessibility and parking on Conway ~~dilemmas~~. Conway road has a width of 17 ½ feet from pavement to pavement not to include the curbs nor gutters, to include the gutters Conway road has a 20 feet 10 inch just barely enough to meet the fire road accessibility.

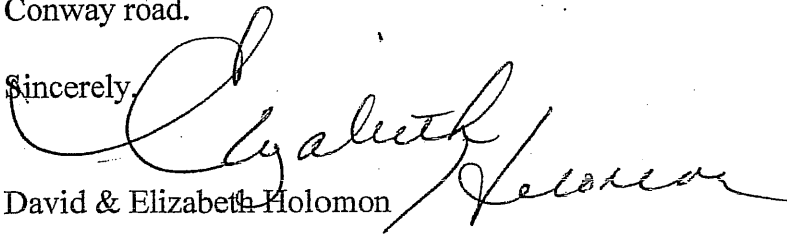
We believe it would be a tragedy to allow for a larger home due to the Fire truck accessibility, and the existing problem facing us currently of non-conformance due to cars parking on the road and **do not** meet the fire prevention codes (SMC 16.52, 16.53 and 16.54; title 19 California codes of regulations) All neighbors that attended the development of Conway- Hollenbeck road had discussions on the limited parking and it was discussed on several occasions, to put no parking signs on one side of the road, but due to the restricted budget and others that didn't what to give up there use frontage nothing was every consummated.

We are submitting picture of the cars parked on Conway but these photos were taken not on a weekend rather a weekday and there are about four to five extra cars on the weekends. Please note for the record that two lots are empty and one is now being currently used as a parking spot for the neighbor due to the limited parking on there lot.

Landscape: We are also submitting picture of the 40 x 20 feet tree that was in view for the last forty five years our family had ownership. We were considering the purchase of this property and believed that the tree added great value to a new home and would not be a problem to trim this tree due to its location. I did inform the property owners that they needed a permit to exterminate this tree before demolition begun therefore I believe the new home owners knew that this act was not legal and should have to provide more than what has been propose plus face penalties just like anyone else due to no medical excuse being submitted. You are imposing no more that what is require of new construction a 36 inch box tree.

Thank you for your consideration and hope to continue to be informed of the progress of Conway road.

Sincerely,


David & Elizabeth Holomon

- * 19. No parking shall be permitted in front of the garage of Lot 3 along Conway.
20. Should the Sunnyvale Municipal Code be modified to permit accessory living units on R-2 Zoned lots smaller than 5,000 square feet, any future proposal for an accessory living unit on any one of the three subject lots shall require review and approval by the Planning Commission.
21. Provide storm water infiltration to landscaping areas from roof drains; show method on plans prior to issuance of a Building Permit.

Conditions of Approval - Tentative Map

A. Planning Division

1. The Tentative Map shall be valid for a period of two years, measured from the date of approval by the final review authority.
2. The Tentative Map shall be applicable only in conjunction with a valid Special Development Permit.
3. Building Permits for the lot or lots within a recorded Parcel Map may be issued only in accordance with a valid Special Development Permit.
4. All existing overhead utility lines along the Hollenbeck and Conway frontages of the subject property shall be placed underground pursuant to the City Council approved Assessment District. If for any reason the Assessment District does not proceed, the developer will be responsible for the utility undergrounding (electric, telephone and cable) which shall occur prior to occupancy of the homes.
 - a. If the developer becomes sole responsible for the undergrounding of the utilities, a copy of an agreement with PG&E for undergrounding of all existing overhead utilities which are on site and/or adjacent to the site shall be provided to the Director of Community Development or an order of magnitude prepared by PG&E accompanied by a deposit in an amount sufficient to cover the cost of undergrounding shall be made with the City prior to the approval of the Final Map.
5. Prior to final approval of the Parcel Map by the Director of Public Works, the "In-Lieu Park Dedication Fee" shall be paid in accordance with the 1999-2000 Fee resolution and Sunnyvale Municipal Code Chapter 18.10; the total amount per unit is \$5,308.87.

B. Public Works

6. Record a Final Map (Parcel Map).